

1FW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Benjamin Y.H. Liu et al.

Appln. No. : 10/823,143

Filed : April 13, 2004

For : METHOD AND APARATUS FOR
CASCADE IMPACTOR TESTING OF
INHALABLE DRUG THERAPIES
FOR CHEMICAL ANALYSIS

Docket No.: M419.12-0044

Group Art Unit: 3653

Examiner:

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, THIS

23 DAY OF Sept 2004

PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 C.F.R. § 1.97. Copies of the patents or publications cited are enclosed, except as waived by the Official Gazette notice of August 5, 2003 regarding copies of U.S. Patents and Published Applications.

TIME OF FILING

The information disclosure statement is being filed:

1. X with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 C.F.R. § 1.97(b), no statement or fee is required.
2. after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or notice of allowance under 37 C.F.R. § 1.311. Therefore, in accordance with 37 C.F.R. §

1.97(c), submitted herewith is:

(check either A or B below)

- A. ☐ a statement as specified in 37 C.F.R. § 1.97(e).
 - B. ☐ the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c).
3. ☐ after the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant petitions for consideration and submits herewith:
- A. a statement as specified in 37 C.F.R. § 1.97(e);
 - B. the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(1).

OR

☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(2).

METHOD OF PAYMENT

 X No fee is required.

 Attached is a check in the amount of \$.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

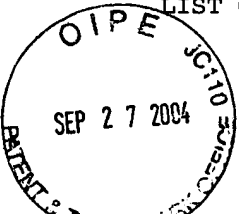
Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Nickolas E. Westman, Reg. No. 20,147
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222
Fax: (612) 334-3312

NEW:lah

FORM PTO-1449	Atty. Docket No.: M419.12-0044	Appl. No.: 10/823,143
 <p>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</p>	First Named Inventor:	
	Benjamin Y.H. Liu	
	Filing Date April 13, 2004	Group Art: 3653

U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub Class	Filing Date If Appropriate
AA	2,538,116	1/1951	May	73	28	
AB	3,127,763	7/1961	Lippmann	73	28	
AC	3,518,815	7/1970	McFarland et al.	55	241	
AD	3,693,457	9/1972	Pilat	73	28	
AE	4,133,202	1/1979	Marple	73	28	
AF	4,274,846	6/1981	Smith	55	270	
AG	4,321,822	3/30/82	Marple et al.	73	28	
AH	4,391,151	7/1983	Nelson et al.	73	863.23	
AI	4,400,982	8/1983	Bell	73	863.22	
AJ	4,452,068	6/1984	Loo	73	28	
AK	4,463,595	8/1984	Yeh et al.	73	28	
AL	4,523,990	6/1985	Duyckinck	209	138	
AM	4,570,494	2/1986	Dunn et al.	73	863.22	
AN	4,640,140	2/1987	Burghoffer et al.	73	863.22	
AO	4,725,294	2/1988	Berger	55	270	
AQ	4,764,186	8/1988	Langer	55	17	
AQ	4,827,779	5/1989	Marple et al.	73	863.22	
AR	4,972,957	11/1990	Liu et al.	209	143	
AS	5,201,231	4/1993	Smith	73	863.22	
AT	5,343,767	9/1994	Marple et al.	73	863.22	
AU	5,437,198	8/1995	John	73	863.22	
AV	5,693,895	12/1997	Baxter	73	863.22	
AW	6,101,886	8/2000	Brenizer et al.	73	863.22	
AX	6,267,016	7/2001	Call et al.	73	863.22	

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Sub Class	Translation Yes No
	AY	2179273		Great Britain			
	AZ	1354261		Great Britain			
	BA	3545120		Germany			(Abstract Only)
	BB	3110871		Germany			(Abstract Only)
	BC	DE 2832238 A	1981	Germany			abstract only
	BC	2,351,155	12/20/00	Great Britain			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	
EXAMINER:	DATE CONSIDERED:	

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.